

REMARKS

This application has been reviewed in light of the Office Action dated June 28, 2005. Claims 13-17 and 30-39 are pending. Claim 12 has been canceled without prejudice or disclaimer of subject matter. Claims 13-17 and 30-39 have been amended to even further clarify the claimed subject matter. Claims 13-17, 30, 31, 34 and 36 are in independent form. Favorable reconsideration is respectfully requested.

Applicants would like to thank the Examiner for allowing Claims 14, 30, 31, 34, and 36. Those claims have been amended merely to improve their clarity, and those changes are not believed to remove their present allowability. The changes made to these claims have not been made for purposes relating to patentability.

Claim 12 has been rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,060,224 (*Konishi*). Claims 13, 16, 17 and 37 have been rejected under 35 U.S.C. 103(a) as being obvious over *Konishi* in view of U.S. Patent No. 6,141,125 (*Blair et al.*). Claims 13, 15, 32, 33, 35 and 37-39 have been rejected under 35 U.S.C.103(a) as being obvious over U.S. Patent No. 5,717,795 (*Sharma et al.*) in view of *Blair et al.*

Without conceding the propriety of the rejection of Claim 12, that claim has been canceled, thereby rendering its rejection moot.

Each of the rejected independent Claims 13 and 15 has been amended to recite subject matter clarifying an inter-relationship between a multiplexer/demultiplexer and a loopback component, and each of the rejected independent Claims 16 and 17 has been amended to recite subject matter clarifying an inter-relationship between a

multiplexer/demultiplexer, a transponder, an optical switch, and at least one interface.

Page 12 of the earlier Office Action dated December 3, 2004 recognized that subject matter along these lines is patentable.

Indeed, the portion of *Konishi* relied on in the Office Action (Fig. 4) shows merely an optical switch 71a connected to line L4 and to an optical transmitting and receiving circuit 75a, and *Sharma et al.* shows merely switches connected directly to lines B1 and B2, a demultiplexer C11 connected to another side of switch C111, and a multiplexer connected to another side of switch C112. Neither of those references is understood to teach or suggest the configurations recited in Claims 13, 15, 16, and 17, relating to the foregoing respective inter-relationships.

Blair et al. is relied on in the Office Action as teaching transmitting and receiving a test signal, but is not seen to teach or suggest anything which would remedy the foregoing deficiencies of *Konishi* and *Sharma et al.* as references against Claims 13, 15, 16, and 17.

Accordingly, Claims 13, 16, and 17 are each deemed to be clearly patentable over *Konishi* and *Blair et al.*, and Claims 13 and 15 are each deemed to be clearly patentable over *Sharma et al.* and *Blair et al.*, whether those references are considered separately or in those respective combinations.

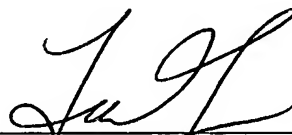
The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable over the art relied on in the Office Action for the same reasons as are those corresponding independent claims. Since each dependent claim is also deemed to define an additional

aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, favorable reconsideration and early passage to issue of the present application are requested.

The undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'F. DeLucia', written over a horizontal line.

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